

07-15-05

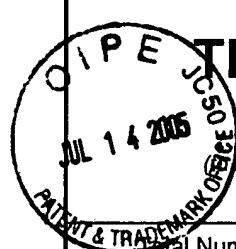
PTO/SB/21 (09-04)

Approved for use through 7/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number	10/605,185
Filing Date	September 12, 2003
First Named Inventor	Brandon C. Haley
Art Unit	3643
Examiner Name	Price Jr., Richard Thomas
Attorney Docket Number	718026.33

ENCLOSURES (check all that apply)

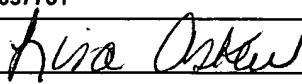
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Blackwell Senders Peper Martin, LLP		
Signature			
Printed Name	Mark E. Stallion		
Date	July 14, 2005	Reg. No.	46,132

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Lisa Askew	Date	July 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option



PATENT
718026.33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brandon C. Haley : Examiner: Price Jr., Richard Thomas
Serial No.: 10/605,185 : Group Art Unit: 3643
Filed: September 12, 2003 : Attorney Docket No.: 718026.33
For: LEG PROCESSOR YIELD : Customer No.: 027128
IMPROVEMENT : Confirmation No.: 2184
Last Office Action: June 15, 2005 :

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated June 15, 2005, Applicant hereby elects for prosecution at this time Group I claims 1-6, drawn to an apparatus. The election of Group I claims is made with traverse without prejudice to the elected Group I claims and without prejudice to the non-elected Group II-VI claims.

Reconsideration and withdrawal or modification of the requirement for restriction are respectfully requested consistent with Examiner Interview July 10, 2005. The Applicant contends that Group I-VI claims are closely related and have a common utility. Specifically, the circular blade (126), elongated guide assembly (106), wedge shaped plow (152), and the disc (146) in combination have common utility related to splitting of the back half or saddle portion of a poultry carcass. The Applicant further contends that the Groups I-VI claims don't pose a

Application of: Brandon C. Haley
Serial No.: 10/605,185
Response to Restriction Requirement

serious burden for the examiner by requiring separate searches. Consistent with the Examiner interview the Applicant requests that if the restriction requirement is not completely withdrawn then the groupings are reduced from Groups I-VI to Applicant Proposed Groups I-II were Group I is claims 1-6 and 21-27 and Group II is directed to claims 7-20. The focus of Group I is the guide, blade and plow combination whereas Group II is directed to the guide, disc, and plow. Independent claim 27 reflects the overall combination.

Because Applicant may wish to pursue claims of the non-elected Groups at a later date by Divisional Application, if necessary, it is requested that these claims, pursuant to 37 CFR 1.142, be permitted to remain in the application, but withdrawn from examination.

This response does not present any new matter. Accordingly, as all requirements of the Action have been complied with, an action on the merits and a Notice of Allowance are hereby respectfully solicited.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Date: July 14, 2005

Respectfully submitted,



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